

Exhibit B

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10

11 UNITED STATES DISTRICT COURT
12 FOR THE CENTRAL DISTRICT OF CALIFORNIA
13 SOUTHERN DIVISION

14 INNOVATIVE SPORTS
15 MANAGEMENT, INC.,

16 Plaintiff,

17 v.

18 RENZO MACCHIAVELLO, individually
19 and d/b/a RENZO'S TASTE OF PERU;
20 AND MACCHIAVELLO, LLC, an
21 unknown business entity d/b/a RENZO'S
22 TASTE OF PERU,

23 Defendant.

24 Case No.: 8:12-cv-01748-DOC-RNB

25 PLAINTIFF'S RESPONSES TO
26 DEFENDANT'S REQUEST FOR
27 ADMISSIONS

28 PROPOUNDING PARTY: Defendant RENZO MACCHIAVELLO

RESPONDING PARTY: Plaintiff INNOVATIVE SPORTS MANAGEMENT, INC.

SET NUMBER: ONE

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PLAINTIFF'S RESPONSES TO DEFENDANT'S
REQUEST FOR ADMISSIONS
Case No.: 8:12-cv-01748-DOC-RNB

REQUEST FOR ADMISSIONS

REQUEST FOR ADMISSION NO. 1:

Admit that defendant Renzo Macchiavello did not give their consent, or permission, or in any way authorize the exhibition of the subject soccer program on Tuesday, October 11, 2011, at Renzo's Taste of Peru.

RESPONSE TO DEFENDANT'S REQUEST FOR ADMISSION NO. 1:

Objection. Plaintiff is incapable of admitting or denying the instant Request because discovery in this matter has only recently commenced and the subject matter to which propounding party requests an admission for is within the scope of knowledge of the propounding party himself.

REQUEST FOR ADMISSION NO. 2:

Admit that you have no evidence that defendants specifically stole a satellite television signal (as opposed to a cable television signal) in this case.

PLAINTIFF'S RESPONSE TO DEFENDANT'S REQUEST FOR ADMISSION 2:

Objection. Plaintiff is incapable of admitting or denying the instant Request because discovery in this matter has only recently commenced. As such, and until this investigation is completed, Plaintiff denies this particular Request for Admission.

REQUEST FOR ADMISSION NO. 3:

Admit that you have no evidence that defendants specifically stole a cable television signal (as opposed to a satellite television signal) in this case.

PLAINTIFF'S RESPONSE TO DEFENDANT'S REQUEST FOR ADMISSION 3:

Objection. Plaintiff is incapable of admitting or denying the instant Request because discovery in this matter has only recently commenced. As such, and until this investigation is completed, Plaintiff denies this particular Request for Admission.

1 **REQUEST FOR ADMISSION NO. 4:**

2 Admit that defendants did not advertise that the subject soccer program was going to be
3 displayed on Tuesday, October 11, 2011, at Renzo's Taste of Peru.

4

5 **PLAINTIFF'S RESPONSE TO DEFENDANT'S REQUEST FOR ADMISSION NO. 4:**

6 Objection. Plaintiff is incapable of admitting or denying the instant Request because
7 discovery in this matter has only recently commenced. As such, and until this investigation is
8 completed, Plaintiff denies this particular Request for Admission.

9

10 **REQUEST FOR ADMISSION NO. 5:**

11 Admit that there were no advertisements whatsoever that mentioned that the subject soccer
12 program was going to be displayed on Tuesday, October 11, 2011, at Renzo's Taste of Peru.

13 **PLAINTIFF'S RESPONSE TO DEFENDANT'S REQUEST FOR ADMISSION 5:**

14 Objection. Plaintiff is incapable of admitting or denying the instant Request because
15 discovery in this matter has only recently commenced. As such, and until this investigation is
16 completed, Plaintiff denies this particular Request for Admission.

17

18 **REQUEST FOR ADMISSION NO. 6:**

19 Admit that you have no evidence that defendants had any increase in revenue or generated
20 any money specifically as a result of the alleged exhibition of the subject soccer program at Renzo's
21 Taste of Peru.

22

23 **PLAINTIFF'S RESPONSE TO DEFENDANT'S REQUEST FOR ADMISSION 6:**

24 Objection. Plaintiff is incapable of admitting or denying the instant Request because
25 discovery in this matter has only recently commenced and the subject matter to which propounding
26 party requests an admission for is within the scope of knowledge of the propounding party himself.

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1 **REQUEST FOR ADMISSION NO. 7:**

2 Admit that defendants did not charge a premium (higher than normal price) on food and/or
3 beverages on Tuesday, October 11, 2011, at Renzo's Taste of Peru during the alleged exhibition of
4 the subject soccer program.

5
6 **PLAINTIFF'S RESPONSE TO DEFENDANT'S REQUEST FOR ADMISSION 7:**

7 Objection. Plaintiff is incapable of admitting or denying the instant Request because
8 discovery in this matter has only recently commenced and the subject matter to which propounding
9 party requests an admission for is within the scope of knowledge of the propounding party himself.

10 **REQUEST FOR ADMISSION NO. 8:**

11 Admit that there was no cover charge for admittance into Renzo's Taste of Peru on Tuesday,
12 October 11, 2011, when the alleged exhibition that forms the basis of this lawsuit took place.

14 **PLAINTIFF'S RESPONSE TO DEFENDANT'S REQUEST FOR ADMISSION 8:**

15 Objection. Plaintiff is incapable of admitting or denying the instant Request because
16 discovery in this matter has only recently commenced. As such, and until this investigation is
17 completed, Plaintiff denies this particular Request for Admission.

19 **REQUEST FOR ADMISSION NO. 9:**

20 Admit that you have no evidence that defendants previously committed any television signal
21 piracy prior to the alleged incident that forms the basis on this lawsuit

23 **PLAINTIFF'S RESPONSE TO DEFENDANT'S REQUEST FOR ADMISSION 9:**

24 Objection. Plaintiff is incapable of admitting or denying the instant Request because
25 discovery in this matter has only recently commenced. As such, and until this investigation is
26 completed, Plaintiff denies this particular Request for Admission.

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1 **REQUEST FOR ADMISSION NO. 10:**

2 Admit that defendants did not commit a willful violation of 47 U.S.C. §605 in this case.
3

4 **PLAINTIFF'S RESPONSE TO DEFENDANT'S REQUEST FOR ADMISSION 10:**

5 Objection. Plaintiff is incapable of admitting or denying the instant Request because discovery
6 in this matter has only recently commenced. As such, and until this investigation is completed,
7 Plaintiff denies this particular Request for Admission.

8 **REQUEST FOR ADMISSION NO. 11:**

9 Admit that defendants did not commit a willful violation of 47 U.S.C. §553 in this case.
10

11 **PLAINTIFF'S RESPONSE TO DEFENDANT'S REQUEST FOR ADMISSION 11:**

12 Objection. Plaintiff is incapable of admitting or denying the instant Request because discovery
13 in this matter has only recently commenced. As such, and until this investigation is completed,
14 Plaintiff denies this particular Request for Admission.

16 **REQUEST FOR ADMISSION NO. 12:**

17 Admit that there are no facts in this case to support your claim for punitive damages against
18 defendants.
19

20 **PLAINTIFF'S RESPONSE TO DEFENDANT'S REQUEST FOR ADMISSION 12:**

21 Objection. Plaintiff is incapable of admitting or denying the instant Request because discovery
22 in this matter has only recently commenced. As such, and until this investigation is completed,
23 Plaintiff denies this particular Request for Admission.

25 **REQUEST FOR ADMISSION NO. 13:**

26 Admit that the majority of customers present at Renzo's Taste of Peru on Tuesday, October
27 11, 2011 were not there primarily to watch the subject soccer program on television, but were there
28 for another purpose.

1 **PLAINTIFF'S RESPONSE TO DEFENDANT'S REQUEST FOR ADMISSION 13:**

2 Objection. Plaintiff is incapable of admitting or denying the instant Request because discovery
3 in this matter has only recently commenced. As such, and until this investigation is completed,
4 Plaintiff denies this particular Request for Admission.

5 **REQUEST FOR ADMISSION NO. 14:**

6 Admit that defendant Renzo Macchiavello did not have direct control over the television(s)
7 at Renzo's Taste of Peru at the time of the alleged exhibition that forms the basis of this lawsuit.
8

9 **PLAINTIFF'S RESPONSE TO DEFENDANT'S REQUEST FOR ADMISSION 14:**

10 Objection. Plaintiff is incapable of admitting or denying the instant Request because
11 discovery in this matter has only recently commenced and the subject matter to which propounding
12 party requests an admission for is within the scope of knowledge of the propounding party himself.
13

14 **REQUEST FOR ADMISSION NO. 15:**

15 Admit that defendant Renzo Macchiavello did not personally authorize any television signal
16 piracy violation that forms the basis of this lawsuit.
17

18 **PLAINTIFF'S RESPONSE TO DEFENDANT'S REQUEST FOR ADMISSION 15:**

19 Objection. Plaintiff is incapable of admitting or denying the instant Request because discovery
20 in this matter has only recently commenced and the subject matter to which propounding party
21 requests an admission for is within the scope of knowledge of the propounding party himself.
22

23 **REQUEST FOR ADMISSION NO. 16:**

24 Admit that defendant Renzo Macchiavello did not derive any benefit from the alleged signal
25 piracy, specifically any obvious and direct financial gain from the alleged violation.
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1 **PLAINTIFF'S RESPONSE TO DEFENDANT'S REQUEST FOR ADMISSION 16:**

2 Objection. Plaintiff is incapable of admitting or denying the instant Request because discovery
3 in this matter has only recently commenced and the subject matter to which propounding party
4 requests an admission for is within the scope of knowledge of the propounding party himself.

5 **REQUEST FOR ADMISSION NO. 17:**

6 Admit that Innovative Sports Management, Inc. did not suffer any actual damages as a result
7 of defendants' conduct that forms the basis of this lawsuit.
8

9 **PLAINTIFF'S RESPONSE TO DEFENDANT'S REQUEST FOR ADMISSION 17:**

10 Deny.
11

12 **REQUEST FOR ADMISSION NO. 18:**

13 Admit that you have no evidence to indicate what type of television signal was allegedly
14 intercepted in this case (namely satellite or cable), but merely that the subject soccer program was
15 displayed at the Renzo's Taste of Peru establishment on Tuesday, October 11, 2011.
16

17 **PLAINTIFF'S RESPONSE TO DEFENDANT'S REQUEST FOR ADMISSION 18:**

18 Objection. Plaintiff is incapable of admitting or denying the instant Request because discovery
19 in this matter has only recently commenced. As such, and until this investigation is completed,
20 Plaintiff denies this particular Request for Admission.
21

22 **REQUEST FOR ADMISSION NO. 19:**

23 Admit that the subject soccer program that forms the basis of this lawsuit was available for
24 purchase on the internet on Tuesday, October 11, 2011.
25

26 **PLAINTIFF'S RESPONSE TO DEFENDANT'S REQUEST FOR ADMISSION 19:**

27 Objection. Plaintiff is incapable of admitting or denying the instant Request because
28 discovery in this matter has only recently commenced. As such, and until this investigation is

1 completed, Plaintiff admits this particular Request for Admission.

2

3 **REQUEST FOR ADMISSION NO. 20:**

4 Admit that you have no evidence that indicated that defendant Renzo Macchiavello had any
5 personal involvement in the alleged signal piracy that forms the basis of this lawsuit, other than the
6 fact that his name appears on the liquor license.

7

8 **PLAINTIFF'S RESPONSE TO DEFENDANT'S REQUEST FOR ADMISSION 20:**

9 Objection. Plaintiff is incapable of admitting or denying the instant Request because
10 discovery in this matter has only recently commenced. As such, and until this investigation is
11 completed, Plaintiff denies this particular Request for Admission.

12

13 **REQUEST FOR ADMISSION NO. 21:**

14 Admit that you have no evidence to support your claim for enhanced statutory damages in
15 this case against defendant Renzo Macchiavello.

16

17 **PLAINTIFF'S RESPONSE TO DEFENDANT'S REQUEST FOR ADMISSION 21:**

18 Objection. Plaintiff is incapable of admitting or denying the instant Request because
19 discovery in this matter has only recently commenced. As such, and until this investigation is
20 completed, Plaintiff denies this particular Request for Admission.

21

22 **REQUEST FOR ADMISSION NO. 22:**

23 Admit that defendant Renzo Macchiavello specifically did not intercept or aid in the
24 interception of the subject television program.

25

26 **PLAINTIFF'S RESPONSE TO DEFENDANT'S REQUEST FOR ADMISSION 22:**

27 Objection. Plaintiff is incapable of admitting or denying the instant Request because
28 discovery in this matter has only recently commenced and the subject matter to which propounding
party requests an admission for is within the scope of knowledge of the propounding party himself.

1 **REQUEST FOR ADMISSION NO. 23:**

2 Admit that defendant Renzo Macchiavello did not divulge or publish, or aid the divulging or
3 publishing of, the subject television program.

4
5 **PLAINTIFF'S RESPONSE TO DEFENDANT'S REQUEST FOR ADMISSION 23:**

6 Objection. Plaintiff is incapable of admitting or denying the instant Request because discovery
7 in this matter has only recently commenced and the subject matter to which propounding party
8 requests an admission for is within the scope of knowledge of the propounding party himself.

9
10 **REQUEST FOR ADMISSION NO. 24:**

11 Admit that you were aware of the alleged violation that forms the basis of this lawsuit on the
12 date of the incident, October 11, 2011.

13
14 **PLAINTIFF'S RESPONSE TO DEFENDANT'S REQUEST FOR ADMISSION 24:**

15 Objection. Plaintiff is incapable of admitting or denying the instant Request because discovery
16 in this matter has only recently commenced. As such, and until this investigation is completed,
17 Plaintiff denies this particular Request for Admission.

18
19 **REQUEST FOR ADMISSION NO. 25:**

20 Admit the Closed Circuit Television License Agreement of Al Jazeera Media Network with
21 Innovative Sports Management, Inc. does not state Innovative Sports Management, Inc. is given "the
22 exclusive right to commence or settle any claim or litigation arising out of the alleged piracy, use or
proposed use for the closed circuit television telecast."

23
24 **PLAINTIFF'S RESPONSE TO DEFENDANT'S REQUEST FOR ADMISSION 25:**

25 Objection. Plaintiff is incapable of admitting or denying the instant Request because discovery
26 in this matter has only recently commenced. As such, and until this investigation is completed,
27 Plaintiff denies this particular Request for Admission.

28 ///

1 **REQUEST FOR ADMISSION NO. 26:**

2 Admit Innovative Sports Management, Inc. did not give written notification to Al Jazeera
3 Media Network before commencing this litigation.

4 **PLAINTIFF'S RESPONSE TO DEFENDANT'S REQUEST FOR ADMISSION 26:**

5 Objection. The Request, as stated, is vague and ambiguous as to the term "written
6 notification" and Plaintiff further objects on the basis discovery in this matter has only recently
7 commenced and Plaintiff's investigation is not yet completed.
8

9 **REQUEST FOR ADMISSION NO. 27:**

10 Admit Innovative Sports Management, Inc. did not consult with Al Jazeera Media Network
11 before commencing this litigation.
12

13 **PLAINTIFF'S RESPONSE TO DEFENDANT'S REQUEST FOR ADMISSION 27:**

14 Objection. The Request, as stated, is vague and ambiguous as to the term "consult with" and
15 Plaintiff further objects on the basis discovery in this matter has only recently commenced and
16 Plaintiff's investigation is not yet completed.
17

18 **REQUEST FOR ADMISSION NO. 28:**

19 Admit Innovative Sports Management, Inc. did not mutually agree with Al Jazeera Media
20 Network to commence this litigation.
21

22 **PLAINTIFF'S RESPONSE TO DEFENDANT'S REQUEST FOR ADMISSION 28:**

23 Objection. The Request, as stated, is vague and ambiguous as to the term "mutually agree"
24 and Plaintiff further objects on the basis discovery in this matter has only recently commenced and
25 Plaintiff's investigation is not yet completed.
26

27 **REQUEST FOR ADMISSION NO. 29:**

28 Admit Innovative Sports Management, Inc. did not give written notification to Al Jazeera

1 Media Network pertaining to commencing this litigation.
2

3 **PLAINTIFF'S RESPONSE TO DEFENDANT'S REQUEST FOR ADMISSION 29:**

4 Objection. The Request, as stated, is vague and ambiguous as to the term "written
5 notification" and Plaintiff further objects on the basis discovery in this matter has only recently
6 commenced and Plaintiff's investigation is not yet completed.
7

8 **REQUEST FOR ADMISSION NO. 30:**

9 Admit Innovative Sports Management, Inc. did not consult with Al Jazeera Media Network
10 pertaining to commencing this litigation.
11

12 **PLAINTIFF'S RESPONSE TO DEFENDANT'S REQUEST FOR ADMISSION 30:**

13 Objection. The Request, as stated, is vague and ambiguous as to the term "consult with" and
14 Plaintiff further objects on the basis discovery in this matter has only recently commenced and
15 Plaintiff's investigation is not yet completed.
16

17 **REQUEST FOR ADMISSION NO. 31:**

18 Admit Innovative Sports Management, Inc. did not mutually agree with Al Jazeera Media
19 Network to commence this litigation.
20

21 **PLAINTIFF'S RESPONSE TO DEFENDANT'S REQUEST FOR ADMISSION 31:**

22 Objection. The Request, as stated, is vague and ambiguous as to the term "mutually agree"
23 and Plaintiff further objects on the basis discovery in this matter has only recently commenced and
24 Plaintiff's investigation is not yet completed.
25

Dated: *10/21/13*


LAW OFFICES OF THOMAS P. RILEY, P.C.
By: Thomas P. Riley, Esquire
Attorneys for Plaintiff
Innovative Sports Management, Inc.

VERIFICATION

STATE OF NEW JERSEY)
)
COUNTY OF HUDSON) SS.

I, DOUG JACOBS, declare as follows:

I am the President of the Plaintiff in the subject action and make this Verification on its behalf. I have read the foregoing **PLAINTIFF'S RESPONSES TO DEFENDANT'S REQUEST FOR ADMISSIONS**, and know the contents thereof. The matters stated in the foregoing are true of my own knowledge except as to those matters, which are stated on information and belief, and as to those matters, I believe them to be true.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and that this declaration was executed on October 7, 2013, in Hoboken, New Jersey.

DOUG JACOBS

III